G. R. S. App. F. IX-4]

1942-

File No. 262-42

Previous References.
H-138-33-1-5 (Forest)

Serial Nos. 1-3

Later References.
H 35-44 81-2.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 3.

Part B for Nov. 43

SUBJECT.

Rules to regulate the transit of timber, fuel, and bamboos from Jeypore Lands & Private holdings.

(Cl. 3)

To, The Conservator,
No. A.F. 2280 D) 22 11/43
16/11 — Issues Notification —

82.(2)43

H-262-42-1

MYSORE FOREST DEPARTMENT.

4330 A-7

25 MAY 1943

No. M. 41 15-115/42 Encl.

OFFICE OF THE CHIEF CONSERVATOR OF FORESTS IN MYSORE,

Bangalore, dated 25th May 1943

FROM

C. ABDUL JABBAR, ESQ., B.A.,
Chief Conservator of Forests in Mysore,
Bangalore.

25 MAY 1943

To

N. Madhava Rao, Esq., B.A.,
Secretary to the Government of
H.H. the Maharaja of Mysore,
General Department, Bangalore.

GENERAL SECRETARY
25 MAY 1943

Sir,

RE:- Rules to regulate the transit of timber, fuel and bamboos from Inam lands and private holdings.

Adverting to the rules on the above subject, notified by Government under No. G. 1568/Ft. 138-33-3 dated 21st/27th Aug' 35 and ammended from time to time, I have the honour to state that while the existing rules are fairly practicable in respect of removals of limited quantities of timber, fuel or bamboos from private holdings or Inam lands, their strict application in cases relating to organized exploitation of thick Inam forests involving the removal of very large quantities of timber, fuel or bamboos would cause some amount of hardship to individuals who purchase large quantities of timber etc. from private forests and remove them in small consignments as transport facilities become available. An instance of this kind has come up before me for orders. A timber merchant of Mysore who has purchased the thick forests of Sarvamanya Machadevanahalli and Navaloor in Periyapatna Taluk, Mysore District has represented that he would be collecting in one month about 10,000 cft of timber, 200 cartloads of fuel and 200 cartloads of big and small bamboos, that the mafi pass to be taken out by him from the Amildar cannot be used for obvious reasons to cover every cart or lorry load under transit and that unless he is permitted to issue his own pass in respect of each consignment under the general authority of the mafi pass issued by the Amildar for the aggregate quantity of timbers or other

P.T.O.

material prepared at ome time, it would be practically impossible for him to bring out the entire quantity from the forests purchased by him.

The difficulties brought to notice seem to be to be real and the District Forest Officer, Mysore recommends that the merchant may be allowed to have his own permit books printed in triplicate in the enclosed form and to make use of the same by issuing the triplicate copy to cover the transit of timber, fuel or bamboos and the duplicate to the concerned Range Officer.

As the Amildar is expected to issue the mafi pass on the basis of the estimated quantities of timber, firewood or charcoal and bamboos actually collected and kept ready for transport and the Forest Range Officer will put the "P.T." hammber mark on all logs there seems to be no harm in permitting removals under the cover of the merchants own pass in each of which the number and date of the general pass issued by the Amildar will be quoted. I consider that the recommendation of the District Forest Officer, Mysore can be accepted with a slight modification by suitably amplifying rule 9 of the existing transit rules so as to create additional facilities to all those that may have to be transport bonafide private timber, firewood or charcoal and bamboos in large quantities. Instead of allowing private pass books to be printed and introduced as suggested by the District Forest Officer, machine numbered pass-books that are in use in the Department may be sold to them-one book at a time at the price to be fixed in consultation with the Superintendent, Government Printing.

A ledger account of pass books issued to each individual and the counterfoils recovered from him could then be maintained and any misuse of passes avoided. To enable this proposal to be given effect to rule 9 of the existing transit rules will have to be amplified as indicated below.

A " When, however, the pass issued by the Amildar covers more than 2500 cft of timber or 200 tons of firewood or charcoal or 1,00,000 big or small bamboos to be removed in instalments within a specified period of time, the obligation to produce the pass issued by the Amildar when each consignment is under

transit will be waived provided the owner of the mafi pass has arranged with the District Forest Officer of the District concerned to purchase a Departmental pass book and issue therefrom a pass to cover each consignment giving reference therein to the number and date of the pass issued by the Amildar and also agrees to return the counterfoils of all the used up passes together with all the unused passes in tact within a week after the expiry of the period fixed by the Amildar".

I may also add that Tangadi and Minor Forest Produce lessees are permitted to issue permits for transport of produce collected by them vide clause ⊙ of sale rules printed on page ⊙ of the Mysore Forest Manual. My present proposal is on lines similar to those now in vogue in respect of transport of Thangadi collected from Government lands.

I request that orders of Government may be kindly obtained and communicated to me early.

I have the honour to be,
Sir,
Your most obedient servant,

Chief Conservator of Forests.

⊙ page 212 clauses (g) and (h)

GEN. & REV. SECTT. 16 JUNE 1943

R

Reference is invited to the existing rules re transport of forest produce as revised & brought up-to-date. The amplification of rule 9 as suggested above at 'A' may perhaps be approved as it is intended only to facilitate the transport of the produce without any change in principle. This modification is in the form of a consolidating rule.

8696 Secy. 14/6 15 JUNE 1943 Secy. May be appd

Hms 15/6/43 Rules sent to Law Rev Br & returned ...

F & 262-42 — S/R 6669

The Rules Secretariat
& may be obtained
from
1616
Mysore Secy)

1290 S
17 JUN 43
GOVT. OF MYSORE

Gl Asst
W/C
) WO 23/6/43

OFFICE OF THE MINISTER
FOR INDUSTRIES & SUPPLIES
JUN 24 1943
No. 1309

The amplification of Ruling of the Rule regarding the transport of produce (Flag A) ... as at A in the P.V.D. file approved,

Minister's

23/6
Jones

9/10

8/9/10 Jones

Draft GO & Notification submitted.

For approval
GR Secy)

Jones
12/10/43

MW.
8/10
11/10

GENERAL SECRETARY
13 OCT. 1943
2382

Jones 21/10
Jones

SECTT.
25 OCT 1943
GEN. & REV. SECTT.

2) G.O.No. A.F. 2254-68 Ft 262-42-2 d 19-11-43

Approves the proposals of the C.C.F., in the circumstances explained and ~~notifies~~ issues a notification amplifying Rule 9 of the Transit Rules seperately ——.

To: The C.C.F;
The Revenue Commissioner
The D.Cs of Districts
The Comptroller to Govt.

3) No. A.F. 2280 Ft 262-42-3 d 22-11-43

Notifies that the following addition be made to Rule 9 of the Rules for Regulating the transport of timber, fuel or Charcoal and bamboos issued under Notification No G.1568 Ft 138-33-3 dated the 27-8-1935 and amended from time to time.

To:- The Compiler, Mysore Gazette.

Bo

Rules Regarding transport of Forest Produce.

NOTIFICATION.

In exercise of the powers vested under Sections 37,71 and 76 of the Mysore Forest ~~Regulption~~ Act of 1900, the Government of His Highness the Maharaja of Mysore are pleased to make the following rules to regulate the transit in Mysore of timber, fuel or charcoal and bamboos from inam lands or private holdings other than coffee lands:-

(1) No timber, bamboos, fuel or charcoal cut or burnt within the limits of inam lands or private holdings in Mysore shall be removed beyond those limits, except under a pass to be granted as hereinafter prescribed by the Amildar of the taluk within which the inam land or private holding is situate.

(2) The application for a pass shall be in writing and shall state the following particulars:-

(i) the name, survey number or other description of the inam land or private holding from which the timber, bamboos, fuel or charcoal is to be removed;

(ii) the right under which the applicant is authorised so to remove;

(iii) the approximate quantity and description of the materials to be removed;

(iv) the time within which the applicant desires so to remove.

(3) On receipt of the application the Amildar shall hold such enquiry as he may think necessary to verify the facts stated in the application and if he is satisfied that the applicant is entitled to remove the timber, bamboos fuel or charcoal mentioned, he shall grant without levying any fee therefor of a pass in the form annexed to these rules, which shall be in triplicate, the counterfoil being kept for record, the original handed over to the applicant and the duplicate forwarded without delay to the Forest Range Officer concerned.

(3(a) Application for mafi passes for the transit of fuel or charcoal from the holdings of the applicants and required for the applicants bona-fide domestic use may be presented to the Village Patels also. If the patel is satisfied that the fuel or charcoal specified in the application is for the applicant's bona-fide domestic use, then he shall issue a pass to the applicant in the prescribed form under his signature subject to the condition that the quantity of fuel or charcoal that may be permitted to be removed by the applicant, shall not exceed four cart loads of firewood and six bags of charcoal in the Maidan and eight cart loads of firewood and twelve bags of charcoal in the Malnad in a month and transmit the application within a week to the concerned Forest Range Officer along with the duplicate pass (G.150/Ft.175-36-22 dated7-7-1938)

(4) If no orders are passed refusing or granting the pass asked for, within six weeks of the receipt of the application in case of timber and bamboos or within one month of such receipt in the case of the fuel or charcoal, and in all cases in which the Amildar refuses to grant the pass, the applicant shall have the right of an appeal to

to the Deputy Commissioner. The orders of the Deputy Commissioner in appeal shall be final.

(5) All orders refusing to grant the pass shall be in writing and shall state the reasons for the refusal.

(6) No appeal shall be brought after the expiration of thirty days from the date on which the right to appeal accrues and in computing this period the time required to prepare a copy of the decision or order appealed against shall be excluded, provided that the appellate authority may in cases in which sufficient cause is shown condone the delay in filing an appeal.

(7) Notwithstanding anything contained in these rules, the Deputy Commissioner may, for a period to be fixed by him in this behalf, empower any inamdar to issue licenses authorising the removal or transit of fuel or charcoal belonging to him and required for bona fide and domestic consumption only, subject to the condition that the license is liable to be cancelled at the discretion of the Deputy Commissioner. The license to be issued shall be in triplicate and the inamdar shall, as soon as a license is issued, send a copy of it to the Forest Ranger concerned. A license issued by the inamdar under this rule shall be deemed to be a pass granted by the Amildar for purposes of Rule 1.

(7a) An inamdar empowered by the Deputy Commissioner to issue licenses under rule 7 may remove fuel or charcoal for bonafide domestic consumption to the extent of 4 or 5 cartloads respectively in a month under cover of his own license subject however, to the check specified in rule 9. (A.F.6940/Ft 3-40-85 dated 3-4-1941).

(8) No timber, bamboos, fuel or charcoal from the adjoining British territories shall be allowed to enter the Mysore State or to be transported therein, except under a pass granted by the Amildar of the Taluk through which the produce enters the State. If the person bringing such produce has a permit or license granted by a competent authority in British India, the Amildar shall grant the pass without further enquiry. In all other cases, the Rules 2 to 6 above shall apply mutatis mutandis to the grant of a pass under this rule.

(9) The pass shall accompany the forest produce in transit and shall be liable to examination by any Police, Forest or Revenue Officer. If the produce passported is removed on different occasions, it should be accompanied each time by the pass, a note being caused to be made under the signature of the Patel or Shanbhog of the village in which the land is situate, on the back thereof, of the number and quantity removed on each occasion with the specified date of such note.

(10) The produce shall be conveyed within the time prescribed in the pass which shall be returned to the issuing officer on or before the date prescribed therein.

(11) Except in the case of removal of fuel or charcoal under Rule 7(a) the local Forest Range Officer should affix the P.T.Stamp in the case of timber and conduct inspection in regard to other products within 15 days from the date of the receipt of the duplicate pass by him and make a note of it on the back of the pass with his signature and date. If the same is not so done within the said period, the produce may be removed without the stamp or note provided it is covered by the pass. The P.T.mark with regard to timber must be in tact till the timber reaches its destination.

~~(11a) Except in the case of removal of fuel or charcoal under rule~~

9/3

~~rule 7 (a), the local Forest Range Officer destination~~

~~(A.F.6940/Pt-3=40-84 dated 3-4-1941)~~.

(12) Whoever transports or removes timber, fuel, charcoal or bamboos in contravention of these rules, shall, on conviction be liable to a fine which may extend to two hundred rupees.

Form of pass (in triplicate to be granted for removal of fuel of charcoal and bamboos from private lands.

(To keep counterfoil for record, the original being handed over to the applicant, and the duplicate forwarded immediately after issue to the local Forest Range Officer).

Date of Pass.	Name of person to whom issued.	Survey No. Village, Taluk.	Description of fuel or charcoal & bamboos No. and quantity.	Where to be conveyed.	Time within which to be conveyed.	When pass to be returned.	When returned.	Remarks
1.	2	3	4	5	6	7	8	9.

Amildar.

G. R. S. App. F VI—G. 2]

2 Drafts 10/ H

SUBJECT.....

.....

.....

Diary No. of letter replied to 16 cdns

General and Revenue Secretariat.

( )

the 194 .

Date of issue 19/11/1943

Signed by Jas H.M.S

May this be—

(i) printed ?

(ii) treated as a Standing Order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the Press ?

(vi) published in the Gazette, Kannada Part ?

Section. Forest

File No. FL 262-42

Serial No. 2

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read— Notification no. G 1568/Fl 138-33-3 dy 21/27 Aug 35 ~~imposing~~ as amended from time to time imposing rules to regulate the transport of timber, fuel or charcoal and bamboos from Inam Lands or private holdings

2. Letter no. M. C/C 15-115/42 ~~Order thereon. No.~~ dy the 25th May 43 from the C.C.F. bringing to the notice of Govt the difficulties & hardships experienced in the strict application of the rules in cases relating to organised exploitation of timber in inam forests involving the removal of very large quantities

of timber etc from private forests and remove them in small consignments as transport facilities become available and suggesting the amplification or relaxing of the existing transit rules so as to create additional facilities to all those that may have to transport bonafide private timber, fire wood or charcoal and bamboos in large quantities.

order A.F. 2257-688 19/11/43.

The CCF states that a timber merchant of Mysore who has purchased the private forests of Sarvamangala Manchadevanahalli and Navaloor in Periyapatna Taluk, has represented that he would be collecting in one month about 10,000 c.ft. of timber 200 cart loads of fuel & 200 cart loads of big & small bamboos, that the said pass books to be taken out by him from the Assistant Conservators, for obvious reasons, be used for obvious reasons to cover every cart or lorry load under transit, & that unless he is permitted to issue his own pass in respect of each consignment under the general authority of the said pass is sent by the

List of Enclosures
Copied by
Examined by

12/ Exp Trees

9

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read -

Notification No.G.1565/Ft.138-38-3 dated 21/27th August 1935 as amended from time to time issuing rules to regulate the transport of timber, fuel or charcoal and bamboos from Inam Lands or private holdings.

R. Letter No.B.Ci. 15-113/42 dated the 25th May 1943 from the Chief Conservator of Forests bringing to the notice of Government the difficulties and hardships experienced in the strict application of the rules in cases relating to organised exploitation of thick inam forests involving the removal of very large quantities of timber etc., fro private forests and remove them in small consignment as transport facilities become available and suggesting the amplification of rule 9 of the existing transit rules so as to create additional facilitie to all those that may have to transport bonafide private timber, fi wood or charcoal and bamboos in large quantities.

ORDER No. A.F.2257-68/Z-262-42-2 Dated, Bangalore, 19th November 43.

The Chief Conservator of Forests states that a timber merchant Mysore who has purchased the thick forest of Sarvamanya Manchadevana halli and Havaloor in Periyapatna taluk, Mysore District has represe ed that he would be collecting in one month about 10,000 C.ft. of timber 200 cart loads of fuel and 200 cart loads of big and small bamboos, that the mafi pass books to be taken out by him from the Amildar cannot for obvious reasons be used to cover every cart or lorry load under transit and that unless he is permitted to issue his own pass in respect of each consignment under the general authori of the mafi pass issued by the Amildar for the aggregate quantity of timbers or other materialprepared at one time, it would be practically impossible for him to bring out the entire quantity from the forests purchased by him. With a view to overcome the said difficulties the Chief Conservator of Forests suggests that machine numbered pass books that are in use in the Department may be sold to the persons who have to transport bona-fide private timber, fuel or charcoal and bamboos i large quantities - one book at a time at the price to be fixed in con sultation with the Superintendent, Government Printing. He adds that a ledger account of pass books issued to each individual and the counterfoils recovered from him could then be maintained and any mis use of passes avoided. He further states that to enable this propos to be given effect to, rule 9 of the existing transit rules will have to be amplified as indicated below:-

"When however, the pass issued by the Amildar covers more than 2500 c.ft of timber or ~~10~~ tons of firewood or charcoal or 1,00,000 big or small bamboos to be removed in instalments within a specified period of time, the obligation to produce the pass issued by the Ami dar when each consignment is under transit will be waived provided t owner of the mafi pass has arranged with the District Forest Officer of the District concerned to purchase a Departmental pass book and issue therefrom a pass to cover each consignment giving reference the in to the number and date of the pass issued by the Amildar and also agrees to return the counterfoils of all the used up passes together with all the unsued passes in tact within a week after the expiry of the period fixed by the Amildar".

In the circumstances explained, Government approve of the propos of the Chief Conservator of Forests. Notification amplifying rule 9 of the transit rules will issue separately.

To-The Chief Conservator of Forests in Mysore,
" Revenue Commissioner in Mysore,
" Deputy Commissioners of Districts,
" Comptroller to Government.

Kantaraja Urs 4/4/43
for General Secretary to Govt.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

13

Read -

Notification No.G.1566/Ft.138-33-3 dated 21/27th August 1935 as amended from time to time issuing rules to regulate the transport of timber, fuel or charcoal and bamboos from Inam Lands or private holdings.

2. Letter No.M.Cl. 15-115/42 dated the 25th May 1943 from the Chief Conservator of Forests bringing to the notice of Government the difficulties and hardships experienced in the strict application of the rules in cases relating to organised exploitation of thick inam forests involving the removal of very large quantities of timber etc., from private forests and remove them in small consignment as transport facilities become available and suggesting the amplification of rule 9 of the existing transit rules so as to create additional facilities to all those that may have to transport bonafide private timber, firewood or charcoal and bamboos in large quantities.

ORDER No. A.F.2254-68/42-2662-42-2. Dated, Bangalore, 19th November 1943.

The Chief Conservator of Forests states that a timber merchant of Mysore who has purchased the thick forest of Sarvamanya Manchadevanahalli and Navaloor in Periyapatna taluk, Mysore District has represented that he would be collecting in one month about 10,000 C.ft. of timber 300 cart loads of fuel and 300 cart loads of big and small bamboos, that the mafi pass books to be taken out by him from the Amildar cannot for obvious reasons be used to cover every cart or lorry loaded under transit and that unless he is permitted to issue his own pass in respect of each consignment under the general authority of the mafi pass issued by the Amildar for the aggregate quantity of timber or other materialprepared at one time, it would be practically impossible for him to bring out the entire quantity from the forests purchased by him. With a view to overcome the said difficulties the Chief Conservator of Forests suggests that machine numbered pass books that are in use in the Department may be sold to the persons who have to transport bona-fide private timber, fuel or charcoal and bamboos in large quantities - one book at a time at the price to be fixed in consultation with the Superintendent, Government Printing. He adds that a ledger account of pass books issued to each individual and the counterfoils recovered from him could then be maintained and any misuse of passes avoided. He further states that to enable this proposal to be given effect to, rule 9 of the existing transit rules will have to be amplified as indicated below:-

"When however, the pass issued by the Amildar covers more than 250 c.ft of timber or ~~5 tons~~ of firewood or charcoal or 1,00,000 big or small bamboos to be removed in instalments within a specified period of time, the obligation to produce the pass issued by the Amildar when each consignment is under transit will be waived provided the owner of the mafi pass has arranged with the District Forest Officer of the District concerned to purchase a Departmental pass book and issue therefrom a pass to cover each consignment giving reference therein to the number and date of the pass issued by the Amildar and also agrees to return the counterfoils of all the used up passes together with all the unused passes in tact within a week after the expiry of the period fixed by the Amildar".

In the circumstances explained, Government approve of the proposals of the Chief Conservator of Forests. Notification amplifying rule 9 of the transit rules will issue separately.

The Chief Conservator of Forests in Mysore,
" Revenue Commissioner in Mysore,
" Deputy Commissioners of Districts,
" Controller to Government.

) Jon Sreenivasa Raya 4/11/43
) for General Secretary to Govt.

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form*).

14/6

the Agent dar for the aggregate quantity of timbers or other material prepared at one time, it would be practically impossible for him to bring out the entire quantity from the forests purchased by him with a view to overcome the said difficulties the CC7 suggests that machine numbered pass books that are in use in the department may be sold to the persons who have to transport bona-fide private timber, ~~firewood~~ fuel or charcoal and bamboos in large quantities ~~one book~~ at a time at the price to be fixed in consultation with the Supdt. Govt Printing. He adds that a ledger account of pass books is sent to each individual & the Counter foils received from him could then

be maintained and any misuse of passes avoided. He further states that to enable this proposal to be given effect to, rule 9 of the existing transit rules will have to be amplified as indicated below:-

[Here enter matter marked 'A' in p.n.d.]

In the circumstances explained I submit approval of the proposals of the C.C.T. for modifying and amplifying rule 9 of the transit rules with some safeguards

Yours [illegible] to Govt

The C C T
The Law Comr
The Secs of D/S
The Comptroller

N.D.
8/10/43

Pt 262-42-3

16 Cobies
2 drafts

No. A.F. 2280 D/22 11/43

Notification

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form*).

with a view to further facilitate the removal of ~~the~~ timber, fuel or charcoal & bamboos in large quantities from in and lands or private holdings for bona-fide domestic consumption, and in exercise of the powers vested in them under Sections 37, 71 & 76 ~~and~~ of the Mysore Forest Act IX of 1900, the Court of H.H. the Maharaja of Mysore are pleased to direct that the following addition be made to Rule 9 of the rules for regulating the transport of timber, fuel or charcoal and bamboos issued under Notification No. 9568/Ft 138-33-3 of the 27th

WD 03697—GPB—30,000—2-2-46

11 (7)

August 1935 and amended from time to time:—

[Here enter portion marked 'A' in p.u.d].

By order

Jones

for Secy to Govt.

To The Compiler, Nyasa Gazette for publication & to send the usual number of Copies to the CCT & the Secretary.

Ng. A.F. 228/D/22/14/43.

Copy to CCT.

MW
7/10

Copy to Translation Section